



"Express Mail" mailing label number: EV 964284605 US

Date of Deposit: January 10, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Mitsuo Kawasaki

Serial No. 10/616,169

Filing Date: July 9, 2003

Examiner: Leader, W.T.

Group Art Unit No. 1742

For SOFT MAGNETIC FILM HAVING
IMPROVED SATURATED MAGNETIC FLUX
DENSITY, MAGNETIC HEAD USING THE
SAME, AND MANUFACTURING METHOD
THEREFORE

Our Case No. 9281/4597 (N US03509)

Mail Stop Patent Ext.
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL

Attached are:

☒ Transmittal Letter (in duplicate); Request for Reconsideration of Patent Term Adjustment (in duplicate) with attached Appendix A and B.

☒ Return Receipt Postcard

Fee calculation:

☒ No additional fee is required.

☐ Small Entity.

☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).

☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).

☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

☐ A check in the amount of \$_____ for the Petition fee is enclosed.

☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.

☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

1/10/07

Gustavo Siller, Jr. (Reg. No. 32,305)



"Express Mail" mailing label number: EV 964284605 US

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Client Ref. Number: N US03509

Our Case No. 9281-4597

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Mitsuo Kawasaki)	
)	
Serial No. 10/616,169)	Examiner: William T. Leader
)	
Filing Date: July 9, 2003)	Group Art Unit No. 1742
)	
For SOFT MAGNETIC FILM HAVING)	
IMPROVED SATURATED)	
MAGNETIC FLUX DENSITY,)	
MAGNETIC HEAD USING THE)	
SAME, AND MANUFACTURING)	
METHOD THEREFORE)	

PETITION FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Mail Stop Patent Ext
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As indicated by the PAIR PTA adjustment history, herein attached as Appendix A, U.S. Patent Application Serial No. 10/616,169 has a patent term adjustment under 35 U.S.C. §154(b) of 359 days. U.S. Patent Application 10/616,169 is not subject to a terminal disclaimer. For the reasons stated herein, reconsideration of this patent term adjustment is respectfully requested.

Period of adjustment pursuant to 37 CFR § 1.703(a)

The PTO calculation of the period of adjustment pursuant to 37 C.F.R. § 1.703(a) indicates, as shown by the PAIR PTA adjustment history, an adjustment

of 392 days (14 months after the filing of the application on July 9, 2003 to the mailing of the first Office Action on October 6, 2005).

Period of adjustment pursuant to 37 C.F.R. § 1.703(b)

The period of adjustment pursuant to 37 C.F.R. § 1.703(b) is the number of days in the period beginning on the day ("the 3 year date") after the date that is three years after the date on which the application was filed pursuant to 35 U.S.C. § 111(a) or fulfilled the requirements pursuant to 35 U.S.C. § 371 and ending on the date a patent was issued.

The present application was filed on July 9, 2003. The 3 year date specified in 37 C.F.R. § 1.703(b) is July 9, 2006. The mailing date of the Notice of Allowance is October 26, 2006. A copy of the Notice of Allowance is attached as Appendix B. The difference between the 3 year date (July 9, 2006) and the mailing date (October 26, 2006) of the Notice of Allowance is 109 days.

Applicant's Attorney expects that additional non-overlapping delay can reasonably be expected prior to a patent issuing from the present application. Applicant's Attorney therefore requests re-computation of the period of adjustment pursuant to 37 C.F.R. § 1.703 upon identification of the date of issue of the patent of the present application to reflect this delay. With this request, Applicant's Attorney further reserves the right to request reconsideration of the patent term adjustment pursuant to 37 C.F.R. § 1.705(d) if the term of the issued patent is believed to be extended or adjusted incorrectly.

Reduction of adjustment pursuant to 37 C.F.R. § 1.704

The PTO calculation of the period of reduction of adjustment pursuant to 37 C.F.R. § 1.704, as shown by the PAIR PTA adjustment history, is 33 days.

Total patent term adjustment

For the present application, the total patent term adjustment pursuant to

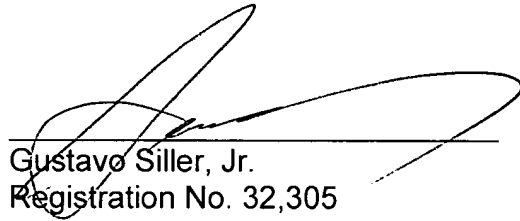
37 C.F.R. § 1.703(f) is the adjustment under 37 C.F.R. §1.703 reduced by the reduction under 37 C.F.R. § 1.704. The total adjustment is thus at least $392 + 109 - 33 = 468$ days.

Conclusion

For the reasons stated herein, reconsideration of the patent term adjustment is respectfully requested pursuant to 37 C.F.R. 1.705(b). Please charge the fee or credit any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

Applicants respectfully request reconsideration of the patent term adjustment for this application. Office personnel are invited to contact the undersigned for Applicants via telephone if such communication would expedite this request.

Respectfully submitted,



Gustavo Siller, Jr.
Registration No. 32,305
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

APPENDIX

A



Search results as of: 12-29-2006::12:15:12 E.T.

Patent Term Adjustment

Filing or 371(c) Date:	07-09-2003	USPTO Delay (PTO) Delay (days):	392
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	33
Post-Issue Petitions (days):	+0	Total Patent Term Adjustment (days):	359
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
10-26-2006	Mail Notice of Allowance		
10-26-2006	Mail Examiner's Amendment		
10-02-2006	Notice of Allowance Data Verification Completed		
10-02-2006	Examiner's Amendment Communication		
08-02-2006	Date Forwarded to Examiner		
08-02-2006	Date Forwarded to Examiner		
07-26-2006	Request for Continued Examination (RCE)		29
08-02-2006	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		⬆
07-26-2006	Workflow - Request for RCE - Begin		⬆
06-30-2006	Mail Advisory Action (PTOL - 303)		⬆
06-30-2006	Advisory Action (PTOL-303)		⬆
06-05-2006	Date Forwarded to Examiner		⬆
05-31-2006	Amendment after Final Rejection		⬆
03-27-2006	Mail Final Rejection (PTOL - 326)		⬆
03-20-2006	Final Rejection		
01-18-2006	IFW TSS Processing by Tech Center Complete		
01-18-2006	Date Forwarded to Examiner		
01-10-2006	Response after Non-Final Action		4
10-06-2005	Mail Non-Final Rejection	392	
10-03-2005	Non-Final Rejection	⬆	
08-23-2005	Case Docketed to Examiner in GAU	⬆	
11-29-2004	Case Docketed to Examiner in GAU	⬆	
07-09-2003	Preliminary Amendment	⬆	
10-29-2004	Transfer Inquiry to GAU	⬆	
10-12-2004	Application Return from OIPE	⬆	
10-12-2004	Application Return TO OIPE	⬆	
10-08-2004	Application Return from OIPE	⬆	
10-12-2004	Application Is Now Complete	⬆	
09-24-2004	Additional Application Filing Fees	⬆	
09-24-2004	Applicant has submitted new drawings to correct Corrected Papers problems	⬆	
08-31-2004	Corrected Paper	⬆	

10-06-2003	Pre-Exam Office Action Withdrawn	⬆
10-06-2003	Application Return TO OIPE	⬆
10-03-2003	Application Return from OIPE	⬆
10-06-2003	Application Is Now Complete	⬆
10-06-2003	Pre-Exam Office Action Withdrawn	⬆
10-03-2003	Application Return TO OIPE	⬆
10-03-2003	Application Dispatched from OIPE	⬆
10-06-2003	Application Is Now Complete	⬆
09-24-2003	Cleared by OIPE CSR	⬆
09-02-2003	IFW Scan & PACR Auto Security Review	⬆
07-09-2003	Initial Exam Team nn	⬆

Close Window

APPENDIX

B



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

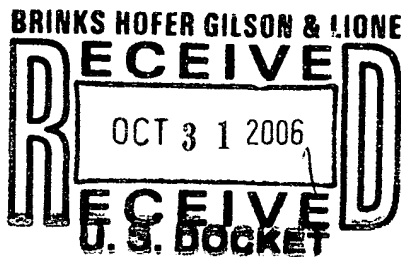


7590

10/26/2006

Anthony P. Curtis, Ph.D.
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

NOTICE OF ALLOWANCE AND FEE(S) DUE



EXAMINER

LEADER, WILLIAM T

ART UNIT

PAPER NUMBER

1742

DATE MAILED: 10/26/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/616,169

07/09/2003

Mitsuo Kawasaki

9281-4597

1104

TITLE OF INVENTION: SOFT MAGNETIC FILM HAVING IMPROVED SATURATED MAGNETIC FLUX DENSITY, MAGNETIC HEAD USING THE SAME, AND MANUFACTURING METHOD THEREFORE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	01/26/2007

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
 or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence, including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

10/26/2006

Anthony P. Curtis, Ph.D.
 BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, IL 60610

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,169	07/09/2003	Mitsuo Kawasaki	9281-4597	1104

TITLE OF INVENTION: SOFT MAGNETIC FILM HAVING IMPROVED SATURATED MAGNETIC FLUX DENSITY, MAGNETIC HEAD USING THE SAME, AND MANUFACTURING METHOD THEREFORE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	01/26/2007

EXAMINER	ART UNIT	CLASS-SUBCLASS
LEADER, WILLIAM T	1742	205-104000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.